GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:3286
ANSWERED ON:15.04.2008
SUPREME COURT DIRECTION ON POLICE REFORMS
Rao Shri Kavuru Samba Siva

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the steps taken for the implementation of the Supreme Court directives on police reforms;

(b) the details of conclusions drawn and suggestions made at the last colloquium organised by the Police Research and Development Organisation and steps taken to make the Indian Police as efficient and effective as its counterparts in the west;

(c) whether the Government proposes to amend the Indian Penal Act and take other measures for implementing various suggestions and recommendations towards carrying out the much needed police reforms by involving the public, media and non-governmental organisations to ensure social, political and economic justice to the common man;

(d) if so, the details thereof;

(e) if not, the reasons therefor; and

(f) the steps taken by the Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS(SHRI SRIPRAKASH JAISWAL)

(a): 'Police' being a State subject in the Seventh Schedule of the Constitution of India, it is primarily for the State Governments to take action on the directions of Supreme Court. However Ministry of Home Affairs has been interacting with the State Governments in respect of the directions of the Supreme Court and related issues. A copy of the judgement of the Supreme Court order dated 22 September, 2006 was also sent to all the States for necessary action. Thereafter, meetings have also been held, from time to time, with the State Governments for discussions on the subject at the level of Union Home Minister and the Union Home Secretary. Ministry of Home Affairs had also set up a Committee of Experts to draft a Model Police Act, which, inter alia, contains several provisions relevant to the directions of the Supreme Court. The draft Model Police Act has also been sent to all the States for consideration and appropriate action as 'Police' is a State subject.

As per information available, the States of Assam, Bihar, Chattisgarh, Gujarat, Himachal Pradesh, Kerala, Punjab, Rajasthan and Tripura have enacted legislation in this regard. Various States have filed their replies in Supreme Court. In respect of Union Territories the responsibility for action lies with the Central Government and substantial compliance has already been done. The position varies widely in respect of the various Union Territories because of their unique characteristics in terms of legal, administrative, demographic and geographical situation specific to each Union Territory. Union of India has also filed two applications in Supreme Court on 12.02.2007 seeking directions by way of clarification/modification of certain directions with reference to the Union Territories.

(b): A three day colloquium was organised by the Bureau of Police Research and Development from 18th December 2007 to 20th December 2007 at New Delhi. 'Police Reforms' was discussed as an item and the conclusion of the discussion was as under:-

(i) There is need to insulate the police from political pressure and interference.

(ii) Mobilization of public opinion, media and NGOs is important for positive image of police.

(iii) Marginalization of corrupt/politicized officers.

(iv) Changes have to be institutionalized for stability.
The various recommendations made in the said colloquium are more or less covered in the Draft Model Police Act.

(c) to (f): At present there is no proposal to amend the Indian Penal Code, 1860 relating to police reforms.